

## AMENDMENTS TO THE SPECIFICATION

Please amend the title to read: BATON SCABBARD WITH ROLLER CLAMP  
RETENTION.

Replace paragraph No. 0001 with the following replacement paragraph.

[0001] The present invention relates generally to baton carriers or scabbards for releasably supporting expandable batons, generally at the waist level of a user. More particularly, the present invention relates to a scabbard for releasably supporting a fixed length or expandable baton, in either a retracted or extended position, at the waist level of a user such that the baton may be readily inserted into and released from the scabbard by lateral movement of the baton relative to the scabbard, and may be angularly oriented relative to the user's torso to enable selective positioning of the baton for access, and to enable the user to comfortably stand, squat, or sit without having to further manipulate the scabbard or baton.

Replace paragraph No. 0007 with the following replacement paragraph.

[0007] In a preferred embodiment, the scabbard includes a generally C-shaped housing that defines a C-shaped recess and supports at least one over-center snap-action latching mechanism, and preferably a pair of mutually cooperable latching mechanisms, such that a baton may be snapped into and released from the scabbard by lateral movement of the baton relative to the ~~scabbard~~recess, and held in place against a stop surface in the form of a back wall of the recess or a rear friction pad by the latching mechanisms. The generally C-shaped ~~housing~~recess is open at its top and bottom such that a baton of substantially any length can be readily stowed in the scabbard.

Replace paragraph No. 0008 with the following replacement paragraph.

**[0008]** The scabbard preferably includes a pair of laterally opposed snap-action latching mechanisms, each of which includes parallel front and rear crowned rollers rotatably supported in a yoke assembly for snap-action pivotal movement. The yoke assemblies are supported ~~within~~ by the housing on laterally opposite sides of the C-shaped housing recess and are pivotal about parallel pivot axes such that the front and rear rollers are laterally spaced as pairs of parallel front and rear rollers, respectively. The corresponding pairs of front and rear rollers are positioned to enable a baton to be inserted laterally between the two front rollers and urged against the rear pair of laterally spaced rollers so that the rollers and yoke assemblies undergo a snap-action pivotal movement about their respective pivot axes as the baton progressively enters the scabbard. In this manner, the laterally opposed rollers undergo a snap-action engagement with the baton so that the baton is gripped between the laterally opposed front and rear pairs of rollers and urged against the recess back wall or friction pad to thereby releasably retain the baton in place within the scabbard until withdrawn in a reverse direction.

Replace paragraph No. 00013 with the following replacement paragraph.

**[00013]** Fig. 3 is a perspective view of the baton scabbard of Fig. 1 with portions thereof showing a sectional view;

Replace paragraph No. 00017 with the following replacement paragraph.

**[00017]** Fig. 7 is a sectional view of the bottom case housing of Fig. 5 taken along the line 7-7 of Fig. 6;

Replace paragraph No. 00019 with the following replacement paragraph.

**[00019]** Fig. 9 is a sectional view of the top case housing of Fig. 8 taken along the line 9-9 of Fig. 8;

Replace paragraph No. 00022 with the following replacement paragraph.

**[00022]** Fig. 12 is a sectional view of the belt clip assembly of Fig. 11;

Replace paragraph No. 00025, 00026 and 00027 with the following replacement paragraphs.

**[00025]** Fig. 15 is a schematic plan view particularly showing the angular position

**[00026]** Fig. 16 is a schematic plan view particularly showing the angular position of the rollers when a baton is partially inserted into the baton holder; and

**[00027]** Fig. 17 is a schematic plan view particularly showing the angular position of the rollers when a baton is fully inserted into the baton holder.

Replace paragraph No. 00029 with the following replacement paragraph.

**[00029]** Referring now to the drawings, and in particular to Figs. 1-3, a baton scabbard constructed in accordance with a preferred embodiment of the present invention is indicated generally at 10. The scabbard 10 includes a baton holder 12 and a belt or strap attachment clip assembly 14 that enables the scabbard to be supported on a user's belt or a strap disposed about the user's waist. The baton holder 12 includes a generally C-shaped housing 16 having curved "arms" 16a that are substantially mirror images of each other. The arms 16a are preferably integrally formed with or otherwise suitably secured to an interior connecting wall 16b and define a generally C-shaped recess therebetween having a baton receiving entry opening 17. The C-shaped housing 16 pivotally supports over-center snap-action mechanism means in the form of at least one, and preferably two roller assemblies 18 and 20. Each roller assembly 18 and 20 includes a pair of forward rollers 18a, 20a and rear rollers 18b, 20b, respectively, that are each rotatably supported in predetermined parallel relation to each other by pins 21, the opposite ends

are of which are secured to and between corresponding upper and lower pairs of parallel roller assembly caps 22a and 22b, as best illustrated in Fig. 2.

Replace paragraph No. 00031 with the following replacement paragraph.

**[00031]** Referring now to Fig. 2, the elements of the baton holder 12 and belt attachment 14 can be seen in greater detail. It can be seen that roller assemblies 18 and 20 are similar in construction, and each comprises the front rollers 18a, 20a and the rear rollers 18b, 20b which preferably have crowned external peripheral surfaces and are held in fixed relation by a yoke body 34 in cooperation with the top and bottom roller assembly caps 22a and 22b. In the construction of a preferred embodiment of the roller assembly 18 (and similarly for roller assembly 20), the spring pin 21 is inserted into each roller 18a, 18b (20a and 20b). The yoke body 34 is placed adjacent the rollers 18a, 18b (20a, 20b) and roller assembly caps 22a, 22b are placed in axial alignment with the rollers. Fastener means, such as a screw or small bolt 38, is fastened at the outer surface of roller assembly caps 22a, 22b, preferably at the center of the assembly caps to fasten the roller assemblies 18, 20 together.

Replace paragraph No. 00032 with the following replacement paragraph.

**[00032]** As shown in Fig. 2, the C-shaped housing 16 includes two main parts, namely, a top or upper case housing 39a and bottom or lower case housing 39b. It will be understood that in the assembly of baton holder 12, the roller assemblies 18, 20 can be inserted into top case housing 39a and bottom case housing 39b then secured thereto to lock roller assemblies within the C-shaped housing 16. A boss 90 located in each roller assembly cap 22a and 22b, and dimensioned to receive the fastening screw 38, is received between corresponding recesses 92 in the top case housing 39a and bottom case housing 39b. Thus, when the top case housing 39a and bottom case housing 39b are mated together, the roller assemblies 18, 20 are retained

therebetween and are able to pivot about the axis of the bosses 90. More specifically, each roller assembly 18 and 20 pivots about the bosses 90 as a fixed unit, meaning that the forward and rear rollers 18a, 18b (20a, 20b) pivot as a unit, as the entire roller assembly 18 (20) pivots. This facilitates the snap-action insertion and release of the baton 24, as will be described hereinafter. It will be understood that other types of roller units, acting in a similar fashion to those shown, may be used without departing from the novel scope of the present invention.

Replace paragraph No. 00033 with the following replacement paragraph.

**[00033]** In the assembly of housing 16, however, it will be noted that a spring insert 40 and the friction pad 23 are first inserted into their respective locations in housing 16. As noted above, friction pad 23 can be inserted against interior connecting wall 16c and held in a desirable location for contact with baton 24. The spring insert 40 can be inserted into a recess 40a of the bottom case housing 39b, as well as into a cooperating recess in the top case housing 39a. Because the spring insert is received within corresponding recesses 40a in both the top and bottom case housings 39a, 39b, the case housings are brought into alignment with each other. The top case housing 39a and bottom case housing 39b can then be held together with one or more fasteners 41, such as the cooperating male and/or female elongated screws or bolts, as shown.

Replace paragraph No. 00040 with the following replacement paragraph.

**[00040]** The connection of baton holder 12 and belt attachment 14 together, in the manner described above, permits the inter-meshing of raised radii 48 and recessed radii 58 when the circular member 44 is assembled with the locking wheel 50. This permits the baton holder 12 can be rotated to a desirable integral angle relative to belt attachment 14. The number of integral angular “stops” is governed by the number of radii 48 and 58 distributed about the circular

member 44 and locking wheel 50, respectively, and the angular spacing therebetween. The preferred shapes of raised radii 48 and the recessed radii 58 permit interlocking of circular member 44 and the locking wheel 50 such that a desired amount of rotational force or pressure causes the circular member 44 to rotate relative to the locking wheel 50 (which is preferably fixed in position via the user's belt that extends through the belt clip 14). The force sufficient to cause rotation of the circular member 44 relative to the locking wheel 50, and hence rotation of the baton holder 12, necessarily forces the circular member slightly apart from the locking wheel 50 along an axial axis 59 (Fig. 5) to permit the raised radii 48 to pass over and across the recessed radii 58 in a "detent" or "click-stop" manner. As mentioned above, the circular member 44 is locked to the locking wheel 50 with a locking ring (not shown) that permits the circular member 44 to slightly separate relative to the locking wheel 50 when sufficient rotational force is applied. Greater detail regarding the detent mechanism described above ~~can be found in Application Serial No. 10/010,543 filed October 8, 2001,~~ is disclosed in U.S. patent No. 6,889,878 assigned to the assignee of the present invention, and which is incorporated by reference in its entirety herein.

Replace paragraph No. 00045 with the following replacement paragraph.

**[00043]** In the operation of the scabbard 10, an officer brings his or her baton 24 to the generally C-shaped recess opening 17 of the scabbard 10 and pushes it laterally into the opening. Initially, the leading edges of the forward rollers 18a, 20a of each ~~the roller assembly~~ roller assemblies 18, 20 contacts the circumference of the baton, as shown in Fig. 15. This tends to cause each roller assembly 18, 20 to pivot outwardly about an axis 66 (Fig. 2) of the roller assembly, which is coaxial with the fastener 38. This angle is shown by reference numeral 70 (Fig. 15). As illustrated, the angle 70 formed by the roller assemblies 18, 20 appears to "diverge" outwardly

from the opening. In this position, the rear rollers 18b, 20b are “behind” a centerline diameter 96 of the baton 24 while the forward rollers 18a, 20a are slightly in front of the centerline diameter of the baton.

Replace paragraph No. 00045 with the following replacement paragraph.

**[00045]** As the baton 24 is urged further back, the baton 24 eventually engages friction pad 24 23, or if not installed, the interior wall 16b of the housing. Note that the friction pad 23 may assist in holding the baton 24 in a vertical position relative to the baton holder 12 without slipping downward. Further, the material from which the rollers are formed may also assist in gripping the baton.

Replace paragraph No. 00046 with the following replacement paragraph.

**[00046]** In this fully engaged position, the roller assemblies 18, 20 pivot the opposite way about their pivotal axes 66 (Fig 2) to “snap” back into position under the tension caused by the spring insert 40 (Fig. 2) and the flexing of the housing, so that the forward rollers 18a, 20a and the rear rollers 18b, 20b of both roller assemblies tangentially contact the baton 24. The forward rollers essentially “snap” back into an over-center position and urge the baton 24 against the friction pad 23 or back wall 16b of the housing 16. In this position, as illustrated in Fig. 17, an angle 72 formed by the roller assemblies 18, 20 appears to “converge” outwardly from the opening. Moreover, in this position, the forward rollers 18a, 20a are “in front of” the centerline diameter 96 of the baton 24 and tend to urge the baton 24 against the friction pad or back wall which thus serve at a stop surface for engagement by the baton when fully inserted into the C-shaped recess in the baton holder housing 16.